

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LAID YSAGUIRRE,

Plaintiff,

v.

R. RODRIGUEZ, and SACRAMENTO
COUNTY SHERIFF DEPARTMENT,

Defendants.

1:23-cv-00254-HBK (PC)

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION

Plaintiff, a state prisoner proceeding pro se, initiated this action by filing a civil rights complaint pursuant to 42 U.S.C. § 1983, accompanied with an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (Doc. Nos. 1, 2). The complaint alleges violations of Plaintiff's civil rights by defendants. The alleged violations took place in Sacramento County, which is part of the Sacramento Division of the United States District Court for the Eastern District of California. Therefore, the complaint should have been filed in the Sacramento Division. *See* 28 U.S.C. § 1391(b); *see also* *Ziegler v. Indian River County*, 64 F.3d 470, 474 (9th Cir. 1995) (reviewing federal court jurisdiction and venue in a § 1983 action). The Court finds it in the interests of justice to transfer this case to the Sacramento Division under 28 U.S.C. § 1406(a) and Local Rule 120(f). The court will not rule on plaintiff's application to proceed *in forma pauperis*.

Accordingly, it is ORDERED:

1. The Clerk of Court shall TRANSFER this action to the United States District Court for the Eastern District of California, Sacramento Division; and

2. All future filings shall refer to the new Sacramento case number assigned and shall be filed at:

United States District Court
Eastern District of California
501 "I" Street, Suite 4-200
Sacramento, CA 95814

3. The court defers the ruling on plaintiff's application to proceed *in forma pauperis* to the transferee court.

Dated: February 22, 2023


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE